

A N  
A C T  
F O R

Making and Repairing the Road from the Town of *Castlecómer*, in the County of *Kilkenny*, through the Towns of *Ballyragget*, *Freshford*, and *Hurlingford*, in the said County, to the Town of *Dundrum*, in the County of *Tipperary*, and from thence through *Newcastle*, to the City of *Limerick*.



D U B L I N :

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A  
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F O R

Making and Repairing the Road from the  
Town of Gifford, in the County of AA,  
known through the Town of Biddulph,  
to the Town of C, in the County  
of D, and the Town of E, in the County  
of F, and the Town of G, in the County  
of H.



A N  
A C T  
F O R

Making and Repairing the Road from the Town of *Castlecomer*, in the County of *Kilkenny*, through the Towns of *Ballyragget*, *Freshford*, and *Hurlingford* in the said County, to the Town of *Dundrum* in the County of *Tipperary*, and from thence through *Newcastle*, to the City of *Limerick*.

C H A P. XVIII.

W H E R E A S the High Way, or Road, leading from the Town of *Castlecomer*, in the County of *Kilkenny*, through the Towns of *Ballyragget*,  
P P P

C H A P. XVIII.



264 Anno Regni(Tricesimo primo,

CHAP. get, Freshford and Hurlingford, in the said  
XVIII. County, to the Tolbn of Dundrum in the  
County of Tipperary, and from thence,  
through Newcastle, to the City of Limerick,  
by Reason of the several Hollow Ways,  
and the many and heavy Carriages, fre-  
quently passing through the same, are be-  
come so Ruinous and Bad, that in the  
Winter Season, many Parts thereof, are  
Impassable for Waggon, Carts, Carrs,  
and Carriages, and very Dangerous for  
Travellers, and cannot, by the ordinary  
Course appointed by the Laws and Sta-  
tutes of this Realm, be effectually A-  
mended, and kept in good and sufficient  
Repair; Wherefore and to the Intent that  
the said Highways and Roads, may,  
with convenient Speed, be effectually A-  
mended, and hereafter kept in good and  
sufficient Repair, so that all Persons may  
Travel through the same with safety; Be  
it Enacted by the King's most Excellent  
Majesty, by and with the Advice and  
Consent of the Lords Spiritual and  
Temporal and Commons in this present  
Parliament assembled, and by the Autho-  
rity of the same, that for the better Or-  
dering, Amending, and keeping in Repair the  
said Highway or Road, it shall be in the  
Power of the Right Honourable Edmund  
Viscount Mountgarret, Right Honourable  
John Viscount Castlecomer, Sir William  
Evans



Evans Morris, Knight, Edmund Butler, Esq. CHAP.  
 quire, James Agar Esquire, William Ryves, XVIII.  
 Esquire, John Hely, Esquire, Tobias Catl-  
 field, Esquire, Reverend Dean St. George,  
 Richard St. George, Esquire, Richard St.  
 George Junior, Esquire, George St. George,  
 Esquire, Amias Bush Esquire, Aland Mason,  
 Esquire, Thomas Newenham, Esquire, Ed-  
 ward Newenham, Esquire, William Tolbott,  
 Esquire, John Hobson Esquire, James Tynte,  
 Junior, Esquire, Reverend Arthur Webb,  
 Reverend Robert Connell, Henry Larive, Es-  
 quire, Captain James Cunningham, Edward  
 Walter Wilson, Esquire, William Gunne, Es-  
 quire, Walter Weldon, Esquire, George  
 Hartpole, Esquire, John Bambrick, Esquire,  
 Reverend Thomas Bush, John Wandesford,  
 Gentleman, Francis Lodge, Esquire, James  
 Edmonds, Gentleman, John Whitehead,  
 Gentleman, Thomas Wright, Gentleman,  
 Christopher Hunt, Esquire, Andrew Nesbitt,  
 Gentleman, Robert Bradley, Gentleman,  
 John Mulhall, Gentleman, Sir Thomas Maud,  
 Baronet, Richard Pennefather, Esquire,  
 Kinsmill Pennefather, Esquire, John Lovette,  
 Esquire, Stephen Moore, Esquire, Morgan  
 O'Meara Esquire, Benjamin Bunbury, Esquire,  
 William Pennefather, Esquire, Cornwallis  
 Maude, Esquire, Mathew Bunbury, Esquire,  
 Daniel Gahan, Junior, Esquire, Moses  
 Dawson, Gentleman, Nicholas Sadlier,  
 Gentleman, William Sadlier, Gentleman,  
 P p p 2 Reverend



CHAP. **Reverend** John Lord, **Reverend** Laurence  
 XVIII. Nilligan, Clement Sadlier, **Gentleman**, James  
 ~~~~~ Potter **Gentleman**, John Lifaght, **Esquire**,  
 Richard Kiffin, **Esquire**, John Buckworth,  
**Esquire**, **Reverend** Edward Moore, Richard  
 Lockwood, **Esquire**, Hamilton Lowe, **Es-**  
**quire**, John Lapp Indkins, **Esquire**, Richard  
 Lockwood, **Junioz**, **Esquire**, Oliver Latham,  
**Esquire**, William Armstrong, **Esquire**, Joseph  
 Hollington, **Gentleman**, Barnaby Phelan,  
**Gentleman**, Samuel Waller, **Esquire**, Richard  
 Maunfell, **Esquire**, **Sir** Robert Deane, **Bar-**  
**onet**, Richard Waller, **Junioz**, **Esquire**, Ro-  
 bert Waller, **Gentleman**, William Anderson,  
**Gentleman**, Eyre Powell, **Esquire**, Richard  
 Powell, **Esquire**, George Gough, **Esquire**,  
 Thomas Phelps, **Gentleman**, **Sir** William  
 Osborne, **Baronet**, Richard Maunfell, **Junioz**  
**Esquire**, Eaton Maunfell, **Gentleman**,  
 George Wilkinson, **Gentleman**, Charles Smyth,  
**Esquire**, **Sir** William Barker, **Baronet**, John  
 Ball, **Esquire**, Maurice Cuffe, **Esquire**, Red-  
 mond Morres, **Esquire**, Thomas Croker, **Es-**  
**quire**, Charles Gore Gore, Folliott Warren,  
**Esquire**, Samuel Mathews, **Esquire**, John  
 Blunden, **Esquire**, Harard Powell, **Esquire**,  
**Reverend** Nicholas Martin, John Gale, **Es-**  
**quire**, Samuel Philips, **Esquire**, Joseph Gale,  
**Gentleman**, William Colles, **Esquire**, **Rebe-**  
**rend** Robert Stuart, Edward Butler, **Gentle-**  
**man**, Silver Oliver, **Esquire**, Philip Oliver,  
**Esquire**, Edmond Sexton Perry, **Esquire**,  
**Rebe-**



Reverend William Cecil Perry, who are here: C H A P.  
 by nominated and appointed Trustees of XVIII.  
 the said Road, and the Survivors of them, ~  
 or any five or more of them, or such  
 person or persons, as they, or any five  
 or more of them, shall Authorize and  
 Appoint to Erect, or cause to be Erected,  
 One or more Gate, or Gates, Turnpike, or  
 Turnpikes, in, upon, or across any Part or  
 Parts of the said Highway, and Road,  
 and also, a Toll-house, or Toll-houses,  
 and there to Receive the Tolls and Du-  
 ties following, before any Horse, Mare, or  
 Gelding, Ass, or Mule, Cattle, Coach,  
 Berlin, Chariot, Calash, Chaise, or Chair,  
 Waggon, Main, Cart, Carr, or other  
 Carriage, shall be permitted to pass  
 through the same (that is to say) for every  
 Coach, Berlin, Chariot, Calash, Chaise, or  
 Chair, drawn by Six Horses, Geldings, or  
 Mares, the Sum of One Shilling and six  
 Pence; and for every Coach, Berlin, Cha-  
 riot, Calash, Chaise, or Chair, drawn by  
 any lesser Number of Horses, Geldings, or  
 Mares, than Six, and more than Two,  
 One Shilling; for every Coach, Berlin,  
 Chariot, Calash, Chaise, or Chair, drawn  
 with Two Horses, Geldings, or Mares,  
 Four Pence; for every Waggon, Main,  
 or Carr with four Wheels, the Sum of  
 five Shillings; for every Waggon, Main,  
 or Carr with Two Wheels, drawn by  
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more



CHAP. more than Two Horses, Mares, Geldings,  
 XVIII. or Oxen, the Sum of Two Shillings  
 and Six Pence; for every Cart, Waggon,  
 or Carr, drawn with Two Horses, Geld-  
 ings, or Mares, the Sum of Four Pence;  
 for every Carriage, commonly called a  
 Chair, or Chaife, with One Horse, Mare,  
 or Gelding, the Sum of Three Pence; for  
 every Carr, or other Carriage, drawn but  
 by One Horse, Mare, or Gelding, the Sum  
 of One Penny Halfpenny (excepting Carts  
 and Horses Laden with Turf); for every  
 other Horse, Mare, Gelding, Mule, or  
 Ass, Laden or Unladen, and not draw-  
 ing, One Penny Halfpenny; for every  
 Drove of Oxen, Cows, or Neat Cattle,  
 the Sum of One Shilling and eight Pence  
 per Score and so in Proportion, for any  
 greater or lesser Number; for every Drove  
 of Calves, Hogs, Sheep, or Lambs, the  
 Sum of Five Pence per Score, and so in  
 Proportion, for any greater or Lesser  
 Number; which said respective Sum, or  
 Sums of Money, shall be Demanded,  
 and taken in the Name of, or as a Toll  
 or Duty, and the Money so to be Raised,  
 as aforesaid, is, and shall hereby be Vested in  
 the said Trustees; and the same, and every  
 Part thereof, shall be Paid, Applied, and  
 Disposed of, and Assigned, to, and for the  
 several Uses, Intents, and Purposes, and  
 in such Manner, as is herein after men-  
 tioned



tioned and directed; and the said Trustees, C H A R.  
 or any five or more of them, are hereby XVIII.  
 empowered, by themselves, or any Person  
 or Persons by them, or any five or more  
 of them, under their Hands and Seals  
 thereunto, authorized to Levy the Toll,  
 or Duty, hereby required to be paid, upon  
 any Person or Persons, who shall, after De-  
 mand made thereof, neglect or refuse to pay  
 the same, by Distress of any Horse or Horses,  
 or other Cattle, or Goods, upon which such  
 Toll or Duty is, by this Act, imposed, or  
 upon any of the Goods and Chattels of  
 such Person or Persons who ought to pay  
 the same, and may detain and keep the  
 same till such Toll, or Duty, with the  
 reasonable Charges of such Distraining,  
 and Keeping, shall be paid; and it shall  
 and may be Lawful, to, and for the Per-  
 son or Persons so Distraining, after the  
 Space of five Days from the Time such  
 Distress made and taken, to sell the Goods  
 distrained, returning the Overplus (if any  
 be) upon Demand, to the Owner thereof,  
 after such Toll, Duty, and reasonable  
 Charges for Distraining and Keeping the  
 same, shall be paid.

And be it Enacted by the Authority afore-  
 said, That out of the first Money arising  
 from the Profits of the several Turnpikes  
 to be erected, by Virtue of this Act, the



CHAP. XVIII. **~** said Trustees, or any five or more of them, shall first pay and Discharge the Expence of Procuring this Act of Parliament, and Erecting such Turnpikes, and Building such Toll-House, or Toll-Houses, and from and after such Charges and Expences shall be fully Satisfied and Paid, that then, and from thenceforth, the Profits arising, and the Money to be Collected at any Turnpike, or Turnpikes, to be erected, or set up on the said Road leading from the Town of Castlecomer, in the County of Kilkenny, through the Towns of Ballyragget, Freshford, and Hurlingford, in the said County, to the Town of Dundrum in the County of Tipperary, and from thence, through Newcastle, to the City of Limerick, shall be applied for and towards the Repair of the said Road only, and not elsewhere.

And Whereas by Reason of the Length of the said Road, the Depth and Nature of the Soil, and great Scarcity of Materials, the said Road cannot be made and repaired in any reasonable Time, but that it is of absolute Necessity, in order to make and amend the same effectually, that the Road from the said Town of Castlecomer, to the said Town of Hurlingford, be erected into a separate and distinct Turnpike, so as that a Toll may be collected



ted and received on that part of the <sup>C.H.A.P.</sup> said Road, separate and distinct from the <sup>XVIII.</sup> Toll to be collected and received on the other part of the said Road, which leads from the said Town of Hurlingford to the City of Limerick; and that the Road from the said Town of Hurlingford to the City of Limerick, be erected into another separate and distinct Turnpike, so as that a Toll be collected and received, as herein is mentioned, on that part of the said last mentioned Road, separate and distinct from the Toll to be collected or received on the other part of the said Road, which leads from the said Town of Castlecomer to the Town of Hurlingford; Be it Enacted by the Authority aforesaid, that the Road leading from the said Town of Castlecomer to the Town of Hurlingford, may be erected into a separate and distinct Turnpike, and that a Toll may be collected and received on that part of the said Road, separate and distinct from the Toll, to be collected or received on the other part of the said Road, which leads from the said Town of Hurlingford to the City of Limerick; and that the Road from the said Town of Hurlingford to the City of Limerick, may be erected into another separate and distinct Turnpike, so as that a Toll may be collected and received on that part of the said Road, separate and distinct from the Toll

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CHAP. to be collected or received on the other Part  
XVIII of the said Road, Which leads from the  
said Tolbn of Castlecomer to the Tolbn of  
Hurlingford.

And be it further Enacted by the Authority aforesaid, That the Tolls and Duties Which shall, during the Continuance of this Act, be collected at the Gates or Turnpikes to be erected on that Part of the said Road Which lies in the County of Kilkenny, shall be applied and laid out in the making and repairing of the Road Which leads from the said Tolbn of Castlecomer to the Tolbn of Hurlingford; and that the Tolls and Duties Which shall, during the Time aforesaid, be collected at the Gates or Turnpikes to be erected on that Part of the said Road Which leads from the said Tolbn of Hurlingford, shall be applied and laid out in the Making and Repairing of the said Road, Which leads from the said Tolbn of Hurlingford to the City of Limerick, and not elsewhere.

Provided nevertheless, and be it Enacted by the Authority aforesaid, That if at any Time, during the Continuance of this Act, there shall arise any Surplus of the said Tolls and Duties hereby granted on that Part of the said Road, Which leads from the Tolbn of Castlecomer to the Tolbn  
of



of Hurlingford, more than what will be sufficient to answer the purposes of the said Act, that then, and from thenceforth, such Surplus shall go to, and be applied on that Part of the said Road which leads from the said Town of Hurlingford to the City of Limerick, if such Aid be requisite and needful; any thing herein contained to the contrary, in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, that the Tickets taken at the several Gates, or Turnpikes, to be erected by Virtue of this Act, on the Road leading from the said Town of Castlecomer to the Town of Hurlingford, shall be taken and accepted of at all and every such Gates as shall be erected on the said Road from the said Town of Castlecomer to the said Town of Hurlingford, and no further.

And be it further Enacted by the Authority aforesaid, That the Tickets taken at the several Gates, or Turnpikes, to be erected, by Virtue of this Act, on the Road leading from the Town of Hurlingford to the Town of Dundrum, and from thence to the City of Limerick, shall be taken and accepted of, at all and every such Gates, as shall be erected on the said Road from the said Town of Hurlingford to the City of Limerick, and no further.

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CHAP. XVIII. And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, Dwelling, Renting, or Occupying any Land near unto any Turnpike, to be Erected in Pursuance of this Act, shall, for Gam, Reward, or otherwise, Permit any Person or Persons whatsoever to Pass through any Gate, Passage, or Way, with any Coach, Berlin, Chariot, Calash, Chaise, or Chair, Waggon, Wain, Cart, Carr, or other Carriage, or Riding or Driving any Horse, Mule, Ass, or any Sort of Cattle, to avoid the Payment of the Toll hereby Appointed to be Paid, and shall be thereof Convicted, upon the Oath of One or more Witnesses or Witnesses, before the said Trustees, or any five or more of them, or before One or more Justice or Justices of the Peace for the County wherein such Offence or Offences shall be Committed, who are hereby Impowered and Required to Administer such Oath, such Person or Persons shall Forfeit and Pay to the Trustees, Authorized to put this Act in Execution, the Sum of Ten Shillings, to be Levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or under the Hands and Seals of the said Trustees, or any five or more of them, or such Justice or Justices, rendering



detering the Overplus (if any be) the Charges C H A P.  
 in Taking and Disposing of the said Goods XVIII.  
 being first Deducted. ~

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, to Erect One or more Gate or Gates, Turnpike or Turnpikes, on the Side of the said Highways, or Road, cros any Lane or Way leading out of the said Road, and to Build One or more Toll-house or Toll-houses, and there to Receive and Take such Toll as is Appointed by this Act to be Taken, so as the same do not Extend to a Double Charge, in Case of passing the same Day through any of the other Turnpikes, to be Erected by Virtue of this Act, from the Tolbn of Castlecomer, in the County of Kilkenny, through the Tolbns of Ballyragget, Freshford, and Hurlingford, in the said County, to the Tolbn of Dundrum, in the County of Tipperary; and from thence through Newcastle to the City of Limerick.

And be it further Enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, at their first Meeting, or any succeeding Meeting, by Writing under their Hands and Seals,  
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shall



CHAP. shall and may Elect, Nominate, and Ap=  
 XVIII. point, One or more fit Person or Persons  
 to be Receiver or Receivers, Collector or  
 Collectors of such Money, in the Name  
 of such Toll or Duty, as shall be Due  
 and Payable by Virtue of this Act; and  
 also One or more fit Person or Persons,  
 to be Surveyor or Surveyors, to see the  
 Condition of the said Highway or Road,  
 and to see that the same be Repaired and  
 Amended, and that the Money Arising by  
 Virtue of this Act, be duly Applied, and  
 from Time to Time to Remove such  
 Collectors, Receivers, and Surveyors, or  
 any, or either of them, as they shall see  
 Occasion, and Appoint New Ones, in  
 Case of Death, or of such Removal; and  
 such Person or Persons as is or are liable,  
 by this Act, to pay the said Toll or Duty,  
 is, and are hereby Required to pay the  
 same, after the Rates aforesaid, to the said  
 Receiver or Receivers, Collector or Col=  
 lectors of the said Toll or Duty, in that  
 Behalf, from Time to Time, Appointed  
 as aforesaid, for the Receiving such Toll  
 or Duty; and such Surveyor or Surveyors,  
 as aforesaid, shall, upon Oath before the  
 said Trustees, or any five or more of  
 them, or before One or more Justice or  
 Justices of the Peace, Residing near the  
 Highway or Road, as aforesaid, which  
 Oath, such Trustees, or any five or more  
 of



of them, or such Justice or Justices is, C H A P.  
 and are hereby Impowred and Required XVIII.  
 to Administer on the first Tuesday in every  
 Month, or oftner, if Required, during the  
 Continuance of this Act, give a True,  
 Exact, and Perfect Account, in Writing,  
 under their respective Hands, of all Money  
 which he and they, and every, or any of  
 them, or any Persons Employed by them,  
 or any of them, shall to such Time have  
 Received, Paid, and Disbursed, by Virtue  
 of this Act, by Reason of their respective  
 Offices, for which Oath, no Fee or Reward  
 shall be Taken: And in Case any Money,  
 so Received, shall remain in their, or either  
 of their Hands, the same shall be Paid to  
 the said Trustees, or any five or more of  
 them, or to such Person or Persons, as  
 the said Trustees, or any five or more of  
 them, shall, by any Writing or Writings,  
 under their Hands and Seals, Authorize  
 and Impower to Receive the same, which  
 shall be Disbursed, and laid out in  
 Amending the said Highway, or Road,  
 according to the true Intent and Mean-  
 ing of this Act, and not otherwise; and  
 the said Trustees, or any five or more of  
 them, to whom such Account shall be given,  
 shall, and may, out of the Money Arising  
 by such Toll or Duty, make such Allowance  
 to the said Receiver or Receivers, Collector  
 or Collectors, and the Surveyor and Sur-  
 veyors,



CHAP. beyors, for, and in Consideration of his  
XVIII. and their Care and Pains respectively,  
taken in the Execution of his and their  
Office and Offices, and to such other  
Person and Persons, who have been, or  
shall be assisting in, and about Procuring  
the said Highways and Roads to be  
Amended and Repaired, by Advancing  
and Laying out any Money, or otherwise  
relating thereunto, as to them shall seem  
good, so as such Allowance or Allow-  
ances to such Collector or Collectors, do  
not annually exceed Twenty Pounds, and  
to such Surveyor or Surveyors, any Sum  
not exceeding Two Shillings a Day, du-  
ring such Time or Times as he or they  
shall be respectively Employed in the Re-  
pair of the said Road, and so as such  
Allowance or Allowances, to any other  
Person or Persons, do not exceed the Sum  
of Fifteen Pounds, yearly, to each Per-  
son; and in Case the said Receiver or Re-  
ceivers, Collector or Collectors of the afore-  
said Toll or Duty, or any of them, shall  
not make such Account and Payment  
unto such Person and Persons, according  
to the Orders and Directions of the said  
Trustees, or any five or more of them,  
as aforesaid, that then the said Justices  
of the Peace, at any Special Sessions, or  
Meeting of them, to be holden for the  
County in which the said Receiver or Re-  
ceivers,



receivers, Collectors or Collectors, have Acted, or been Employed, and made such Default, as aforesaid, shall, and are hereby Required and Impowered to make Enquiry, and finally to Determine of and concerning such Default, as well by the Confession of the said Parties, as by the Testimony of One or more credible Witnesses or Witnesses, upon Oath (which Oath they are hereby Impowered and Required to Administer) without Fee or Reward; and if any Person or Persons shall be Convicted thereof, by such Justices, the said Justices shall, upon such Conviction, Commit the Party or Parties to the Common Goal of the County where such Offence shall be Committed, there to Remain, without Bail or Mainprize, until he or they shall have made a true and perfect Account and Payment, as aforesaid.

And be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyors or Surveyors, and such Person or Persons as he or they shall Appoint, to Dig, Raise, Gather, Take, and Carry away, any Gravel, Furze, Sand, Stones, or other Materials, out of any Waste or Common of any Parish, Town, Village, or Hamlet, in or near where any foundrous or Ruinous Places of the said Highways or Road do lie; and

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for



CHAP. for Want of sufficient Gravel, Furze,  
 XVIII. Sand, Stones, and other Materials; there  
 to Dig, Gather, Raise, Take, and Carry  
 away the same, out of any Waste or  
 Common, of any neighbouring Parish,  
 Town, Village, or Hamlet, without pay-  
 ing any Thing for the same, and where  
 there is not sufficient of any such Mate-  
 rials in any Common, or Waste Ground  
 near adjoining, it shall and may be lawful  
 for them, by Order of the said Trustees,  
 or any five or more of them, to Dig,  
 Raise, and Gather the same, in the several  
 Grounds of any Person or Persons, not  
 being a Garden, Orchard, Yard, or Mea-  
 dow, Planted Walk, or Avenue to a  
 House, where such Materials are, or may  
 be found, and from Time to Time to  
 Carry such, and so much thereof, as the  
 said Surveyor or Surveyors shall adjudge  
 necessary for the Repairing and Amend-  
 ing the said Highway or Road, paying  
 such Rates for such Materials to the  
 Owner or Occupier of the Ground from  
 whence the same shall be Digged, Raised,  
 Gathered, and Carried away, as the Trus-  
 tees Appointed, or to be Appointed, to  
 put this Act in Execution, or any five  
 or more of them, shall Adjudge reason-  
 able; and in Case of any Difference be-  
 tween such Owner and Occupier, and the  
 said Trustees, touching the Value of the Ma-  
 terials,



materials, and the Damage aforesaid, the C H A P. XVIII.  
 Judges of Assize, at the next General Assizes and General Goal Delivery, to be holden in the County where such Materials shall be Digged, Railed, Gathered, and from whence the same shall be Carried away, may, and shall Adjudge, Assess, and finally Determine the same.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor or Surveyors, and such Person and Persons as he or they shall Appoint, from Time to Time, to Remove and Prevent Annoyances on any Part of the said Highway or Road, hereby intended to be Repaired, by Filth, Dung, Ashes, Rubbish, Water-Courses, Sinks, or Drains, running into the said Highway or Road, and to Cleanse any Ditch or Water-Course adjoining the said Road, and to Cut down, Lop, or Top, any Trees or Bushes Growing in the said Highway, or in the Hedges or Banks adjacent to the said Highway, and to Take and Carry away the same, the Owner or Occupier Neglecting to cut down such Trees or Bushes, or to Remove such other Annoyances, for the Space of Ten Days, after Notice in Writing given for that purpose, under the Hands of five of the said Trustees, the Charge whereof



CHAP. XVIII. Whereof, shall be reimbursed the said Surveyor or Surveyors, by such Owner or Occupier neglecting to cut down the said Trees or Bushes, or to remove such other Annoyance, as aforesaid, and if after Removal of any such Annoyances, any Person or Persons shall again offend in like Kind, every such Person or Persons so Offending, and being thereof Convicted, upon Oath of One or more Witnesses or Witnesses, before One or more Justice or Justices of the Peace for the County where such Offences shall be committed, shall, for every such Offence, forfeit and pay unto the said Trustees, Ten Shillings, to be Levied in Manner aforesaid.

And be it Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Surveyor or Surveyors, by Order of the said Trustees, or any five or more of them, to make, or cause to be made, Causeways, and to cut and make Drains through any Grounds lying contiguous to the said Road, and to erect Arches of Brick, Timber, or Stone thereupon; and also to widen any of the narrow Parts of the said Highway or Road, by Opening, Clearing, and Laying into the said Highway, or Road, any Ground of any Person or Persons lying contiguous to such Highway, or Road,  
not



not being a House, Garden, Orchard, Planted C H A P. XVIII. 1  
 Walk, or Avenue to a House; and also to  
 cause Ditches or Trenches to be made in such  
 Places, and in such Manner, as such  
 Surveyors or Surveyors, by Order of the  
 Trustees, or any five or more of them,  
 shall adjudge Necessary for the better  
 Amending and Keeping the said Highway,  
 or Road, in good Repair, making such  
 reasonable Satisfaction to the Owner or  
 Occupier of such Ground which shall be  
 so laid in, or into the said Highways, or  
 Roads, through which any such Drain or  
 Drains shall be cut, or on which any such  
 Arch or Arches shall be made, for the Da-  
 mages which he or they shall or may  
 thereby sustain, as shall be Assessed and  
 Adjudged by the next going Judge or  
 Judges of Assize, or by the Justices of  
 the Peace, or the Major Part of them, at  
 the next General Assizes, or Quarter Ses-  
 sions, to be holden for the County, in which  
 such Ground shall be laid into the said  
 Highways, or Roads, and through which  
 any such Drain or Drains, Ditch or  
 Ditches, shall be cut or made, or on which  
 such Arch or Arches shall be erected or made,  
 or such Causeways made, in Case of any  
 Difference concerning the same; and if  
 any Owner or Occupier of any Water-  
 Course, Ditch or Ditches, adjoining to  
 the said Highways, or Roads, shall neglect

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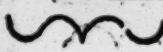
or



CHAP. of refuse to Scout or Cleanse such Water  
 XVIII. Courses, and to make such Ditches so  
 ~~~~~ deep, and in such Manner, as the Sur-  
 veyor or Surveyors shall adjudge proper  
 and convenient, after Ten Days Notice  
 shall be given for that Purpose, by such  
 Surveyor or Surveyors, or such Person or  
 persons as shall be appointed by him or  
 them to such Owner or Owners, it shall  
 and may be Lawful to and for the Sur-  
 veyor and Surveyors to let any Man or  
 Men to Work, to Scout, Cleanse, and  
 Make the same, and by Warrant in Writ-  
 ing under the Hands and Seals of any  
 five or more of the said Trustees to Levy  
 the Charge thereof upon the Persons  
 Goods or Estates of the Owner or Own-  
 ers, Occupier or Occupiers of such Water-  
 Courses, Ditch or Ditches, by Distress and  
 Sale of his, her, and their Goods and  
 Chattels, rendering the Overplus (if any)  
 to the said Owner or Occupier, after all  
 Charges paid.

And Whereas the said Highway, or  
 Road, leading from the Tolbn of Castle-  
 comer in the County of Kilkenny, through  
 the Tolbns of Ballyragget, Freshford, and  
 Hurlingford, in the said County, to the  
 Tolbn of Dundrum, in the County of Tip-  
 perary, and from thence through Newcastle  
 to the City of Limerick, may be considerably  
 shortened



shortened, and made much more Convenient C H A P.  
 for Travellers, if the same was carried XVIII.  
 straight, and in a direct Line, Where the   
 same is now crooked.

For Remedy Whereof, and that all just  
 and reasonable Satisfaction may be given  
 for the Land made Use of in carrying  
 such Road Straight, as aforesaid; Be it  
 Enacted by the Authority aforesaid, that  
 it shall and may be Lawful to and for the  
 said Trustees, or any Eleven or more of  
 them, to ascertain, describe, and set apart,  
 such Part and Proportion of the Land ad-  
 joining or contiguous to the said Highway,  
 or Road, or which otherwise lies most con-  
 venient for carrying on and continuing the  
 said Highway, or Road, straight and in  
 direct Lines, as they the said Trustees, or  
 any Eleven or more of them, shall judge  
 necessary for carrying the same straight,  
 and in a direct Line, as aforesaid; and the  
 said Trustees, or any Eleven or more of  
 them, are hereby further authorized and  
 impowered, to Treat and Agree with the  
 Owners, and others Interested in the said  
 Ground, to be made Use of in carrying the  
 said Road straight, as aforesaid, for such  
 Recompence and Satisfaction to be made  
 for the same out, of the Tolls and Duties  
 arising by Virtue of this Act, as the said  
 Trustees, or any Eleven or more of them,

D D D D 2

shall



CHAP. shall think fit and reasonable; and in Case  
 XVIII. any Person or Persons shall neglect or re-  
 fuse to Treat or Agree, as aforesaid, or  
 through any Disability by Nonage, Co-  
 verture, or Special Limitation, in any  
 Settlement or Settlements, or by Reason  
 of any other Impediment, cannot, or  
 otherwise holbloeber refuse to dispose of  
 their respective Interest in such Land as  
 the said Trustees, or any Eleven or more  
 of them, shall think convenient for Shorten-  
 ing the said Road; in every such Case,  
 the said Trustees, or any Eleven or more  
 of them, are hereby authorized and im-  
 powered to issue forth their Warrant or  
 Warrants to the Sheriff or Sheriffs of  
 the County where such Ground doth lie,  
 to Impannel and Return before the said  
 Trustees, or any Eleven or more of them,  
 at such Time and Place within the said  
 County, as shall be appointed in such  
 Warrant or Warrants, a sufficient Jury,  
 who, upon their Oaths, (which Oaths the  
 said Trustees, or any Eleven or more of  
 them, are hereby empowered and required  
 to Administer) shall enquire into the true  
 and real Value of such Ground to be made  
 Use of for the said Highway, or Road;  
 and such Verdict or Inquisitions as shall  
 be so found and returned by the said Ju-  
 ry, ascertaining the Value of such Ground,  
 shall be Final and Conclusive, as well to  
 the



the said Trustees, as to the several and  
 respective ~~Duties~~ and ~~properties~~ of such  
 Grounds, notwithstanding any Disability,  
 or Incapacity, whatsoever.

C H A P.  
 XVIII.

And forasmuch as the Money to be col-  
 lected by such Receipt of the said Tolls,  
 will not, at present, be sufficient for the  
 speedy Repairing the said Highway, or  
 Road; Be it Enacted by the Authority  
 aforesaid, that the said Trustees, or any  
 fifteen or more of them, shall and may,  
 and they are hereby impowered, from Time  
 to Time, by Writing under their respective  
 Hands and Seals, to assign over the said  
 Tolls, or Duties, hereby granted, or any  
 Part thereof, the Costs and Charges  
 whereof shall be Borne and Paid out  
 of such separate Toll, or Duty, for any  
 Term or Time during the Continuance of  
 this Act, as a Security for any Sum or  
 Sums of Money by them to be borrowed  
 for that Purpose, to the Person or Persons,  
 or their Trustees, who shall Advance and  
 Lend the same, to secure the Repayment  
 thereof, with lawful Interest, or less, if the  
 same can be had; which said Money bor-  
 rowed, shall be applied and disposed of, to  
 Amend and Repair the said Road, and to  
 no other Use or Purpose whatsoever.

E e e

And



CHAP. XVIII. And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Trustees, or any five or more of them, from Time to Time, during the Continuance of this Act, to make out Warrants, or Orders, in Writing, under their Hands, directed to the Treasurer or Receiver of the said Tolls, requiring him to pay thereout, to the Person or Persons mentioned in such Warrant, or Order, their Executors, Administrators, or Assigns, the growing Interest of the Sum of Money mentioned in such Warrant, or Order, as the same shall from Time to Time become due, until such Time as the Principal Sum, mentioned in such Warrant, or Order, shall be paid and Discharged at one entire Payment; Provided that no Warrant, or Order, to be issued to the said Treasurer or Receiver, by Virtue of this Act, shall be for any greater Sum than Fifty Pounds.

And be it further Enacted by the Authority aforesaid, That all and every Person or Persons, to whom such Warrants, or Orders, shall be given, his, her, or their Executors, or Administrators, may, by Indorsements on such Warrants, or Orders, transfer



transfer the Right and Benefit of the CHAP.  
 Sum mentioned in such Warrants, or XVIII.  
 Orders, which Indorsements, upon No-  
 tice to the Treasurer or Receiver of the  
 said Tolls, and an Entry or Memorial  
 thereof made in a Book, to be kept for  
 that Purpose, which the said Treasurer or  
 Receiver shall, upon Request, without  
 Charge, Fee, or Reward, make accord-  
 ingly, and shall, upon the like Request,  
 permit to be viewed at reasonable Hours,  
 without Fee or Reward, shall intitle the  
 Indorsee or Assignee, his or her Execu-  
 tors, Administrators, or Assigns, to the  
 sole Benefit of the Sum so Transferred,  
 or Assigned; and that the said Warrant,  
 or Order, may in like Manner be Assign-  
 ed or Transferred by such Assignee, his, or  
 her Executor or Administrator, and so toties  
 quoties; and that after such Assignment,  
 it shall not be in the Power of the Person  
 or Persons who made such Assignment to  
 make Void, Release, or Discharge the said  
 Assignment, or the Sum thereby Trans-  
 ferred or Assigned, or any Part thereof.

And be it further Enacted by the Au-  
 thority aforesaid, That the Treasurer or  
 Receiver of the said Tolls, shall Arithme-  
 tically Number all the Warrants or Or-  
 ders, which shall be given or delivered out,  
 in pursuance of this Act, as they shall be



CHAP. Delivered out, Commencing by Number  
XVII. One, and so continuing the Number till  
the Whole be Arithmetically Numbered.

And be it further Enacted by the Au-  
thority aforesaid, That the several Tolls  
and Duties hereby made Payable, shall  
be applied and paid to the Discharge of the  
Interest of so much Money as shall be  
borrowed, in Pursuance of this Act, and  
towards Repairing the said Road, and  
that all the Surplus of the said Tolls  
and Duties hereby made Payable, over and  
above what shall be sufficient to Dis-  
charge the said Interest, and Repair the  
said Road, shall be applied in Discharge  
of the Principal Money so borrowed, in  
the Manner herein after mentioned (viz.)  
That when, and as often as such Sur-  
plus, received by the Treasurer or Receiver,  
shall Amount to the Sum of Two Hun-  
dred Pounds, then the said Treasurer or Re-  
ceiver shall Cause the Numbers of all the  
Warrants, or Orders, which shall be  
Issued and Delivered out, in Pursuance  
of this Act, and the Sums therein  
Contained, to be Written on several  
Tickets, or Pieces of Parchment, and to  
be Rolled and Sealed up, and put into a  
Box or Urn, and well Mixed together,  
and an indifferent Person to be appointed  
by the said Trustees, or any five or more  
of



of them, shall Publickly, betwene the C H A P.  
Hours of Ten and Twelve in the Fore- XVIII.  
noon, of a Day to be by the said Treas-  
urer, or Receiver, Publickly Advertized in  
the Dublin Gazette for that Purpose, at least  
Twenty Days before, at Castlecomer, Bally-  
ragget, Freshford, Hurlingford, Dundrum, or  
the City of Limerick, draw out of such  
Box or Urn, as many of the said Tickets,  
or Pieces of Parchment, as the Sums  
therein contained shall Amount, to the  
said Sum of Two Hundred Pounds, and  
the Person or Persons, the Number of  
whose Warrants or Orders shall be so  
drawn, his or their Executors, Admini-  
strators, or Assigns, shall within Twenty  
Days after the said Warrants, or Orders,  
shall be drawn, be paid by the said Treas-  
urer or Receiver, the Principal Sums to  
him or them respectively Due, with the  
Interest for the same till paid; and shall,  
upon Payment thereof, Deliver up his and  
their several and respective Warrants, or  
Orders, to the said Treasurer or Receiver,  
to be Cancelled accordingly, and the In-  
terest Payable by Virtue of such War-  
rants, or Orders, shall cease, from the Ex-  
piration of Twenty Days, to be Account-  
ed from the Day of Drawing the said  
Tickets, or Pieces of Parchment.

f f f f

Provided



**CHAP.** Provided alwayes, that in Case there  
**XVIII.** shall be more than one Gate or Turnpike, in  
Croses, or on the Side of the said Highways,  
or Roads, between the said Town of Castle-  
comer, in the County of Kilkenny, through  
the Towns of Ballyragget, Freshford, and  
Hurlingford, in the said County, to the  
Town of Dundrum, in the County of Tip-  
perary, and from thence through Newcastle,  
to the City of Limerick, no Person or Per-  
sons, having paid the Toll or Duty, as  
is herein before Directed, at the first Gate,  
or Turnpike, through which such Person  
or Persons shall pass, and producing a  
Note, or Ticket, that the said Toll or  
Duty was paid, which Note, or Ticket,  
the Receiver or Receivers, Collector or  
Collectors, is, and are hereby Required to  
give gratis, shall be liable to pay any Toll  
or Duty, at any other of the said Gates,  
or Turnpikes, upon the said Highway, or  
Road, such Person or Persons, Delivering  
the said Note, or Ticket, to the said Re-  
ceiver or Receivers, Collector or Collectors,  
of the said Toll or Duty, at the last  
Gate, or Turnpike, the same Day; and no  
Person or Persons, having Occasion to  
pass the Place or Places, where the Toll  
or Duty is taken, who shall Return the  
same Day, upon, or with the same Horse,  
Mare, or Gelding, Ass, Mule, Cattle,  
Coach,



Coach, Berlin, Chariot, Chaife, Chair, CHAP.  
 Calash, Waggon, Cart, Carr, or other XVIII.  
 Carriage, shall be Liable, or Compellable,  
 the same Day, to pay the said Toll or  
 Duty, more than once on the said Road.

And for preventing Frauds and Abuses,  
 in the said Toll, or Duty; Be it Enacted  
 by the Authority aforesaid, That if any  
 Person or Persons, having paid the Toll,  
 or Duty, by this Act granted and made pay-  
 able, and having such Note, or Ticket, as is  
 hereby Directed, shall give, or Dispose of the  
 same, to any other Person or Persons, in Order  
 to Avoid the Payment of the said Toll, or  
 Duty, every such Person Giving, Dispo-  
 sing, or Offering, and the Person Receiv-  
 ing such Note, or Ticket, Notes, or  
 Tickets, and being thereof Convicted, upon  
 the Oath of One or more Witnesses or  
 Witnesses, before the said Trustees, or any  
 five or more of them, or before any One  
 or more Justice or Justices of the Peace,  
 for the County wherein such Offence or  
 Offences shall be Committed, which Oath  
 the said Trustees, and the said Justice or  
 Justices, are hereby Impow'ered and Re-  
 quired to Administer, shall respectively  
 Forfeit, and pay the Sum of Ten Shil-  
 lings, to be Levied, Recovered, and Dis-  
 posed of, as any other Penalties and For-  
 feitures



CHAP. feitures are Directed to be Levied, Reco-  
XVIII. vered, and Disposed of by this Act.

And be it further Enacted by the Authority aforesaid, That the said Trustees, or any Fifteen or more of them, may, at any Meeting, to be held by them, from Time to Time, as they shall see Convenient, or think fit, Contract With any Person or Persons, for the Farming or Letting the Tolls, arising by this present Act, for any Sum or Sums by the Year, to be Paid by Monthly or Quarterly Payments, or oftner, to such Person or Persons, as shall be Appointed, from Time to Time, by the said Trustees, or any Five or more of them, to Receive such Quarterly, or other Payments, as shall be Contracted for after such Contract or Agreement shall be made; Provided such Term, so to be Granted by them of the said Tolls, shall not exceed the Term of Three Years, at any one Time of Letting or Farming the same, and so toties quoties.

Provided also, and be it further Enacted by the Authority aforesaid, That no Person shall be Charged With any of the Tolls or Duties aforesaid, Who shall pass through



through any of the Turnpikes, to be Erected by this Act, who shall carry any Quantity of Stones, Gravel, or other Materials, for Repairing the said Road, or any of the said Roads; nor shall any Person or Persons, be Chargeable with the said Toll or Duty, for any Carts, Carriages, or Waggon, laden with Corn, in the Strath only, or with Hay, Drabing from the Meadols or Meadols, to the Haggard only, nor for any Ploughs, Harrows, or other Implements of Husbandry, in order to the Using or Repairing the same, in the several Parishes in which the Highways, or Roads, hereby intended to be Repaired, do lie; nor shall any Toll, or Duty, be Demanded or Taken, at any of the Turnpike or Turnpikes, to be Erected, for any Horse, Mare, or Gelding, or Mule, or other Cattle, going to Water, or for any Post-Horse, carrying the Mail, or Paquet, or for such Horse, as is, or shall be Used only to Ride on, by the Owner, or Driver of any Waggon, Cart, or Carriage, provided such Horse pass through the said Turnpike, or Turnpikes, with such Waggon, Cart, or Carriage; nor shall any Toll or Duty, be Demanded or Taken, for the Horses of Soldiers passing, that are upon their March, or Waggon, Carts,



CHAP. Carts, Carrs, or other Carriages travel-  
 XVIII. ling, with Wagrants sent by Passes, or  
 with Prisoners transmitted from one Part  
 of the Kingdom to another.

And be it Enacted by the Authority  
 aforesaid, That the Toll or Duty hereby  
 Granted, shall take Place, and have Con-  
 tinuance, from and after the First Day of  
 June, One thousand seven hundred and  
 fifty eight, for and during the Term of  
 Sixty one Years.

Provided, nevertheless, That if at any  
 Time, before the Expiration of the said  
 Term of Sixty one Years, all Parts of  
 the said Roads shall be sufficiently Amended  
 and Repaired, and Adjudged by the Ma-  
 jority of Trustees, Appointed, or hereafter  
 to be Chosen, by Virtue of this Act, by an  
 Adjudication made, and Repayment of such  
 Money as shall have been Advanced, or  
 Borrowed, with Interest for the same, and  
 the Costs and Charges thereof, the said  
 Tolls and Duties shall Cease and Deter-  
 mine; any Thing herein Contained to  
 the Contrary, notwithstanding.

And be it Enacted by the Authority  
 aforesaid, That for Continuing a sufficient  
 Number



Number of able Persons to be Trustees for putting in Execution all and every the Powers in this Act Contained, for, and during the Continuance thereof, it shall and may be lawful to and for the said Trustees, or any five or more of them, upon the Death of any of said Trustees, or their Removal, or Refusing to act in the said Trust, from Time to Time, and at all Times hereafter, during the Term aforesaid, to Elect, Nominate, and Appoint, in the Room of such Trustee or Trustees, so Deceased, Removed, or Refusing to act, any fit or able Person or Persons of the said County of Kilkenny, to be Joined with the said Trustees, in the Execution of all and every the Power and Powers in them Reposed, by Virtue of this Act; and all and every Person and Persons so to be chosen Trustee or Trustees, for putting this Act in Execution, as they are herein before Qualified to do, shall and may, and are hereby Impowered to Act, to all Intents and Purposes, in as Full, Large, and Ample Manner, as the Trustees are by this Act Impowered to do, and so, times times, as often as Occasion shall Require.



CHAP.  
XVIII.

And be it Enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, shall Meet at Castlecomer, on the first Day of June, One thousand seven hundred and fifty eight, and the said Trustees shall then Adjourn themselves, and afterwards meet there, or at some other Place or Places near the said Highway or Road, to be Repaired, as the said Trustees, or any five or more of them, shall think proper and Convenient, as often as it shall be Necessary for Putting this Act in Execution: And if it shall happen, that there shall not appear at any Meeting which shall be Appointed to be had or held by the Trustees, a sufficient Number of Trustees, to Act, and to Adjourn to any other Day, that then, and in such Case, the Clerk of the said Trustees, by Notice in Writing, to be Affixed at the respective Gates or Entrances, at least Ten Days before the next Meeting, shall Appoint the said Trustees to Meet at the House where the Meeting of the said Trustees was last Appointed to be had, or at some other convenient House near the said Road, on that Day or Night upon which such last Meeting of the said Trustees was Appointed to have been



been held, and that the said Trustees, at C H A P.  
 their first Meeting, and all other subse- XVIII.  
 quent Meetings, shall Defray their own  
 Charges and Expences.

Provided always, and be it further En-  
 acted by the Authority aforesaid, That,  
 during the Continuance of this Act, the  
 said Trustees shall Meet at the Tolbns  
 of Castlecomer, Ballyragget, Freshford, or  
 Hurlingford, as often as there shall be Oc-  
 casion, for putting in Execution any of  
 the Powers in this Act Contained, relative  
 to that Part of the said Road, which  
 leads from the said Tolbn of Castlecomer,  
 to the Tolbn of Hurlingford, and not else-  
 where, and at the said Tolbn of Dundrum,  
 or the City of Limerick, as often as it  
 shall be necessary, for doing any Matter  
 or Thing relative to that Part of the  
 said Road, which leads from the said  
 Tolbn of Hurlingford, to the City of Lime-  
 rick, and not elsewhere.

Provided always, and be it Enacted by the  
 Authority aforesaid, That no Person or  
 Persons, Appointed, or to be Appointed,  
 by this Act, as Trustee or Trustees for  
 putting this Act in Execution, shall have,  
 or accept of any Place of Profit, Arising  
 out  
 h h h h



CHAP. out of, or by Reason of the Toll or Duty  
 XVIII. by this Act Laid or Granted, but such  
 Person or Persons shall be Incapable,  
 from the Time of Accepting and Conti-  
 nuing to Enjoy such Place of Profit, of  
 Acting as a Trustee.

And be it further Enacted by the Au-  
 thority aforesaid, That no such Trustee or  
 Trustees, shall, in his, or their own Name,  
 or in the Name or Names of any other  
 Person or Persons, Undertake or Contract  
 for the Repair of the said Roads, or any  
 Part of them, whereby any Profit may  
 Arise to him or them, but that from such  
 Time he or they shall cease to be a Trust-  
 ee or Trustees; and that any Person or  
 Persons that shall Undertake or Contract  
 for the Repairing or Mending the said  
 Roads, or any Part of them, shall, if  
 Required, Take an Oath before the said  
 Trustees, respectively, or any Seven or  
 more of them, which Oath they have  
 hereby Power to Administer, that he or they  
 do Undertake the same for his or their  
 own Use, and not for the Use of, or in  
 Trust, for such Trustee or Trustees what-  
 soever.

And



And be it further Enacted by the Au-  
thority aforesaid, That if any Suit shall  
be Commenced against any Person or  
Persons, for any Thing done in Pursuance  
of this Act, that in every such Case, the  
Action shall be laid in the said Counties  
of Kilkenny, Tipperary, or Limerick, and not  
elsewhere; and the Defendant or Defen-  
dants, in such Action or Actions to be  
brought, may Plead the General Issue,  
and give this Act, and the Special Mat-  
ter in Evidence, at any Trial to be had  
thereupon, and that the same was done  
in Pursuance, and by the Authority of  
this Act; and if it shall appear so to be  
done, or such Action or Actions shall be  
brought in any other County, that then  
the Jury shall find for the Defendant or  
Defendants, and upon such Verdict; or if  
the Plaintiff shall be Non-suited, or Dis-  
continue his Action, after the Defendant or  
Defendants shall have Appeared, or, if on  
any Demurrer, Judgment shall be given  
against the Plaintiff, the Defendant or  
Defendants shall and may Recover Tre-  
ble Costs, and have the like Remedy for  
the same, as any Defendant or Defen-  
dants hath, or have in any other Cases,  
by Law.

CHAP.  
XVIII

h h h h 2

And



302 Anno Regni Tricesimo primo, &c.

CHAP. And be it Enacted by the Authority  
XVIII. aforesaid, That this Act shall be Deemed,  
Adjudged, and Taken to be, a Publick  
Act, and be Judicially taken Notice of as  
such, by all Judges, Justices, and every  
other Person whatsoever, Without specially  
pleading the same.

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AN



